



500.41184X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Y. KANEDA, et al

Serial No.: 10/073,007

Filed: February 12, 2002

For: SYSTEM AND METHOD FOR OPERATION AND
MANAGEMENT OF STORAGE APPARATUS

Group: 3627

Examiner: R. Laneau

REQUEST FOR APPLICATION OF PREVIOUSLY PAID ISSUE FEE

MS Issue Fee

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 2, 2007

Applicants submit that the above-referenced application was originally allowed by a Notice of Allowance dated March 21, 2007, for which the Issue Fee was paid on June 18, 2007.

However, in accordance with 37 CFR §1.313(c)(2), Applicants filed a Petition to Withdraw the above-referenced application from issue in favor of a Request for Continued Examination (RCE) so as to permit consideration of an Information Disclosure Statement filed on July 11, 2007.

The Examiner upon examining the application based on the July 11, 2007 RCE and Information Disclosure Statement again allowed the application by the October 10, 2007 Notice of Allowance for which the Issue Fee is due on January 10, 2008.

Upon granting the Petition to Withdraw from Issue dated July 11, 2007, the Office of Petitions indicated that if the application is again allowed the

Issue Fee paid on June 18, 2007 can be applied towards the Issue Fee of the new Notice of Allowance.

Accordingly, Applicants hereby respectfully request that the Issue Fee paid on June 18, 2007 in the amount of \$1,700.00 for the above-referenced application be applied toward the Issue Fee with respect to the new Notice of Allowance dated October 10, 2007 being paid on even date herewith. Attached herewith is a copy of the July 11, 2007 Decision granting the Petition filed on July 11, 2007 along with the additional fee of \$40.00 due to the fee increase.

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.41184X00) please credit any excess fees to such deposit account.

Respectfully submitted,



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Carl I. Brundidge
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MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C



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OFFICE OF PETITIONS

In re Application of
Yasunori Kaneda et al
Application No. 10/073,007
Filed: February 12, 2002
Attorney Docket No. 500.41184X00

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:
: DECISION GRANTING PETITION
: UNDER 37 CFR 1.313(c)(2)
:

This is a decision on the petition, filed July 11, 2007, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is GRANTED.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on June 18, 2007 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Technology Center AU 3714 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the Information Disclosure Statement.

Frances Hicks

Frances Hicks
Petitions Examiner
Office of Petitions

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¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B - Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment.